

DENNIS F. MORIARTY, ESQ. (BAR NO. 37612)
ARLEN LITMAN-CLEPER, ESQ. (BAR NO. 289699)
CESARI, WERNER AND MORIARTY
75 Southgate Avenue
Daly City, CA 94015
Telephone: (650) 991-5126
Facsimile: (650) 991-5134
dmoriarty@cwmlaw.com
alitman@cwmlaw.com
6373-3-19-14
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THONGXY PHANSOPHA,
Plaintiff,

vs.

CITY OF SACRAMENTO, SACRAMENTO
POLICE DEPARTMENT, DANIEL HAHN,
and DOE 1 to 125,
Defendants.

No. 2:20-CV-02313-JAM-CKD

**STIPULATION AND REQUEST FOR
MODIFICATION OF SCHEDULING
ORDER**

**TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR
ATTORNEYS OF RECORD:**

Plaintiff THONGXY PHANSOPHA (“Plaintiff”), Defendants CITY OF
SACRAMENTO, SACRAMENTO POLICE DEPARTMENT and DANIEL HAHN
(collectively “Defendants”), (hereinafter referred collectively as “the parties”) by and
through their respective attorneys of record, hereby stipulate the following:

1. On April 12, 2021, the Court issued a Pretrial Scheduling Order in which the Court
set the deadline to disclose expert witnesses and accompanying reports for August 12, 2022,
and deadline to disclose supplemental expert witnesses for September 26, 2022. (Doc. No.
8). The Pretrial Scheduling Order also sets the discovery cutoff deadline for October 26,
2022. (*Id.*)

2. On August 5, 2022 The Court signed a Stipulation and Order ordering that the

1 deadline for disclosure of expert witnesses be continued to September 12, 2022 and the
2 deadline for disclosure of supplemental expert witnesses be continued to October 28, 2022.
3 The date discovery is to be completed is continued to November 23, 2022.

4 3. The parties have engaged in ongoing meet and confer and in the interest of justice
5 the parties have agreed that there is good cause for modification of the August 5, 2022
6 Stipulation and Order for purposes of engaging in ongoing discovery, settlement
7 negotiations, private Mediation and trial preparation.

8 4. The parties have confirmed the deposition of Plaintiff to proceed on September 12,
9 2022.

10 5. The parties have engaged in settlement negotiations in an effort to resolve the action.

11 6. The parties have agreed to participate in private Mediation to occur prior to the end
12 of 2022.

13 7. In order to encourage circumstances for case resolution, the parties wish to avoid
14 the expense of expert retention and trial preparation prior to engaging in Mediation.

15 8. Accordingly, the parties hereby stipulate and request the Court issue an order
16 modifying the August 5, 2022 Stipulation and Order by continuing the expert witness
17 disclosure date from September 12, 2022 to **October 12, 2022** and the supplemental expert
18 witness disclosure date from October 28, 2022 to **December 2, 2022**.

19 9. The parties also stipulate and request the Court issue an order modifying the August
20 5, 2022 Stipulation and Order by continuing the date discovery is to be completed to from
21 November 30, 2022 to **December 30, 2022**.

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1 **IT IS SO STIPULATED**

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4 Respectfully Submitted,

5 DATED: September 8, 2022

SUSANA ALCALA WOOD,
City Attorney

/s/ Matthew R. Day

By: _____

8 **MATTHEW R. DAY**

9 Senior Deputy City Attorney
Attorneys for the Defendants
10 *(as authorized 9/8/2022)*

11 DATED: September 8, 2022

CESARI, WERNER AND MORIARTY

/s/ Arlen Litman-Cleper

By: _____

15 **ARLEN LITMAN-CLEPER**

Attorneys for the Plaintiff
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ORDER

Having reviewed the parties' Stipulation and Request to Modify Scheduling Order to Continue Expert Discovery Dates and completion of Discovery and GOOD CAUSE appearing therefrom, it is hereby ordered that the deadline for disclosure of expert witnesses be continued September 12, 2022 to **October 12, 2022** and the supplemental expert witness disclosure date from October 28, 2022 to **December 2, 2022**.

Further, the date discovery is to be completed is continued completed to from November 30, 2022 to **December 30, 2022**.

IT IS SO ORDERED.

DATED: September 8, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE